

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53302 of 2019

Arising Out of PS. Case No.-90 Year-2019 Thana- GOVINDPUR District- Nawada

1. DIPU CHAUDHARY Son of Late Mundrika Chaudhary Resident of Village- Govindpur Dih, P.S.- Govindpur, District- Nawada.
2. Binda Chaudhary @ Binde Chaudhary Son of Sitaram Chaudhary Resident of Village- Govindpur Dih, P.S.- Govindpur, District- Nawada.
3. Anil Chaudhary Son of late Budhan Chaudhary Resident of Village- Govindpur Dih, P.S.- Govindpur, District- Nawada.
4. Bhuttu Ram Son of Ramdeo Ram Resident of Village- Mahabara, P.S.- Govindpur, District- Nawada.
5. Ghato Ram Son of Yamuna Ram Resident of Village- Mahabara, P.S.- Govindpur, District- Nawada.
6. Marathi Ram Son of Ragho Ram Resident of Village- Khaira, P.S.- Satgama, District- Koderama, residing at Village- Mahabara, P.S.- Govindpur, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar
For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-08-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Govindpur Police Station Case No. 90 of 2019, disclosing offences under Sections 341/323/325/452/504/506/307/34 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners, along with others, assaulted the informant and his



family members be means of lathi, danda and khanti, causing injury on the head of the informant.

Learned Counsel for the petitioners submits that both the parties are from neighbouring villages and a complaint case was also lodged, bearing Complaint Case No. 621 of 2019, by the side of the petitioners against the informant for assaulting the family members of the petitioners and for snatching locket as well as a sum of Rs. 3,000/-. He further submits that from perusal of Annexure-2 (injury report), it would be evident that injury caused to the informant near the left side of his forehead is simple in nature and only one injury has been found by the doctor; whereas the allegation of assault is by all the accused persons, eight in numbers.

After having heard learned Counsel for the parties and taking into consideration the fact that both the parties are from neighbouring villages and there is enmity between them and the injury caused to the informant is simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten



thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Nawada, in connection with Govindpur Police Station Case No. 90 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, .)

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